

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Colin Andrew LOW et al. **Confirmation No.:** 1504
Serial No.: 09/977,497 **Examiner:** El Hadji Malick SALL
Filed: October 16, 2001 **Group Art Unit:** 2457
Title: INVITING ASSISTANT ENTITY INTO A NETWORK COMMUNICATION
SESSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO THE DIRECTOR UNDER 37 C.F.R. §1.181(a) TO WITHDRAW
HOLDING OF ABANDONMENT**

Sir:

A Notice of Abandonment (hereinafter the "Notice") was mailed on July 20, 2010. The Notice indicates that the reason for abandonment of the present application is that "[t]he decision by the Board of Patent Appeals and Interferences rendered on 06/14/10 and because the period for seeking court review of the decision has expired and there are no allowed claims." This reasoning, however, is clearly erroneous because the period for seeking court review of the Board decision expires on August 10, 2010, which is two months from the date of the Board decision. See, MPEP 1214.06, which recites, that "[t]he time for seeking review of a decision of the Board by the Court of Appeals for the Federal Circuit or in the U.S. District Court for the District of Columbia is the same for both tribunals, that is, two months...". Thus, the Applicants should have been given until August 10, 2010 to further act on the present application following the Board's decision.

PATENT

Atty Docket No.: 30004640-2
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Accordingly, the issuance of the Notice of Abandonment of the present application prior to August 10, 2010 is a clear error. Withdrawal of the holding of abandonment is therefore respectfully requested.

Should the Director believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. As noted in MPEP 711.03(c)(I), a fee is not required for this petition. However, if any fees are due in connection with this Petition, please charge such fees to Deposit Account No. 08-2025.

Respectfully submitted,

Dated: August 9, 2010

By /Timothy B. Kang/

Timothy B. Kang
Registration No. 46,423
(703) 652-3817

MANNAVA & KANG, P.C.
11240 Waples Mill Road
Suite 300
Fairfax, VA 22030
(703) 865-5150 (facsimile)